



Patent
Attorney's Docket No. 1033532-000001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of) **MAIL STOP AF**
Maurice Israel et al.)
Application No.: 10/051,243) Group Art Unit: 1623
Filed: January 22, 2002) Examiner: MCINTOSH III, TRAVISS C
For: METHODS FOR THE PREVENTION) Confirmation No.: 8007
AND/OR THE TREATMENT OF)
GLUTAMATE CYTOTOXICITY)
)

REPLY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In complete response to the Office Action mailed June 6, 2006, reconsideration of the subject application in light of the following remarks, pursuant to and consistent with 37 C.F.R. § 1.116, are respectfully requested.

Although the Office Action has been made final, the Examiner has alleged three new grounds of rejection under 35 U.S.C. § 103. Exhibits A-O are attached hereto as evidence of the state of the art as it relates to the alleged bases for these rejections. This evidence was not earlier presented, because it is responsive to the new allegations of the Office and this is Applicant's first opportunity to respond to the present rejections.

As will be shown, each of the new grounds of rejection is not supported when the broader context of the totality of the state of the art is given due consideration. The proposed combinations would have been contrary to the accepted state of the art at the time the application was filed. When the totality of the state of the art is taken into consideration, it becomes clear that the presently claimed invention would not have been obvious.